



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/194,367    11/24/98    DUPRAY

D    1003-PUS

┌

PM82/1208

┐  
EXAMINER

DENNIS J. DUPRAY  
1801 BELVEDERE STREET  
GOLDEN, CO 80401

PHAN, D

ART UNIT	PAPER NUMBER
----------	--------------

3662

DATE MAILED:

12/08/00

24

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/194,367

Applicant(s)

Dupray et al

Examiner

Dao Phan

Group Art Unit

3662



☒ Responsive to communication(s) filed on Oct 31, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 85-180 and 182-202 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☒ Claim(s) 85-138, 140-180, and 182-202 is/are allowed.

☒ Claim(s) 139 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 11, 12, 13, 14, 15, 17, 18, 23

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 3662

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claim 139 is rejected under 35 U.S.C. 102(e) as being anticipated by Ramaswamy et al (Pat. No. 5,627,547).

Ramaswamy et al teach a method for locating a wireless mobile station using wireless signal measurements including first determining (fig. 13, 188) whether a first location estimate of the mobile station, and second determining (fig. 13, 198; col 5, lines 23+) a second location estimate of the mobile station.

3. Claim 139 is rejected under 35 U.S.C. 102(b) as being anticipated by Geier et al (Pat. No. 5,416,712).

Geier et al teach a method for locating a wireless mobile station using wireless signal measurements including first determining 44 whether a first location estimate of the mobile station, and second determining (60; col 1, lines 8+) a second location estimate of the mobile station.

4. Claims 85-138, 140-180, 182-202 are allowed.

Application/Control Number: 09/194367

Page 3

Art Unit: 3662

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao Phan whose telephone number is (703) 306-4167.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-4187.

  
DAO PHAN  
PATENT EXAMINER